

DECLARATION

Original Application

We declare that our residences, post office addresses and citizenship are as stated below next to our names: That we have reviewed and understand the contents of the specification, including the claim, that we verily believe ourselves to be the original, first and joint inventors of the new and distinct variety of BLACKBERRY - APF-12 CULTIVAR described and claimed in the specification attached hereto of application Serial No. \_\_\_\_\_, filed \_\_\_\_\_; that we have asexually reproduced the said new and distinct variety: that we do not know and do not believe that the same was ever known or used in the United States of America before our invention thereof, or patented or described in any printed publication in any country before our invention thereof nor more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application, that said invention has not been patented or made the subject of an inventor's certificate issued in any country foreign to the United States of America on an application filed by us or our legal representatives or assigns more than twelve months prior to this application; that we acknowledge our duty to disclose information of which we are aware which is material to the examination of this application, and that no application for patent or inventor's certificate on said new and distinct variety of plant has been filed by us or our representatives or assigns in any country foreign to the United States of America, except as follows: NONE.

We further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true: and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States

Code, and that such willful statements may jeopardize the validity of the application or any patent issuing thereon.

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Date: March 30, 2004

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Date: March 30, 2004